

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

NOMAC DRILLING, L.L.C., as successor by	)	
merger to BRONCO DRILLING	)	
COMPANY, INC., a Delaware corporation,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIV-12-987-D
	)	
ENEXCO, INC., a Texas corporation,	)	
	)	
Defendant.	)	

**JUDGMENT**

Before the Court is the Motion for Default Judgment [Doc. No. 11] filed by Plaintiff Nomac Drilling L.L.C. (“Nomac”), asking the Court to enter default judgment in favor of Nomac and against Defendant, Enexco, Inc. (“Enexco”), in the amount of \$2,243,767.09, and to enter a declaratory judgment that Enexco’s interests in the S.F.O.T. #2 Well, located in M.G. Whitaker Survey, A-591, Nacogdoches County, Texas, are junior, inferior and subject to the oil and gas well lien filed by Nomac’s predecessor in interest, Bronco Drilling Company, Inc. (“Bronco”), against the S.F.O.T. #2 Well in the principal amount of \$1,895,436.77.

The motion was filed on April 5, 2013, and Enexco has failed to respond. Furthermore, the Court file reflects that Enexco, although duly served with summons and the Complaint, has failed to enter an appearance in this case. Accordingly, the Court Clerk entered a Certificate of Default [Doc. No. 10]. The Court finds that Enexco is in default in this matter, and Plaintiff is entitled to a default judgment on its claims herein that Enexco breached a settlement agreement executed by the parties to resolve a previous lawsuit filed by Plaintiff’s predecessor in interest, Bronco.<sup>1</sup>

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<sup>1</sup>The settlement agreement resolved the claims in *Bronco Drilling Company, Inc. v. Enexco, Inc.*, Case No. CIV-10-817-D. When the parties notified the Court of their settlement, the case was administratively closed. Nomac, as successor in interest to Bronco, subsequently filed the instant case, alleging that Enexco breached the settlement

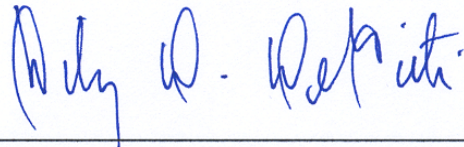
Accordingly, Plaintiff's motion for default judgment [Doc. No. 11] is GRANTED, and judgment is hereby entered in favor of Plaintiff and against Defendant for relief, as follows:

1) the sum of \$2,243,767.09;

2) a declaratory judgment, pursuant to 28 U. S. C. §§ 2201 and 2202, that Enexco's interests in the S.F.O.T. #2 Well are junior and inferior, and are subject to the oil and gas well lien filed by Plaintiff in the principal amount of \$1,895,436.77 against a) the interest of all mineral property owners in the S.F.O.T. #2-H Well, located in M.G. Whitaker Survey, A-591, Nacogdoches County, Texas; and b) all oil and gas leases comprising the S.F.O.T. #2-H Well, located in M.G. Whitaker Survey, A-591, Nacogdoches County, Texas; and

3) attorney fees and costs, to be determined by separate motions filed in accordance with the Local Civil Rules of this Court and the Federal Rules of Civil Procedure.

IT IS SO ORDERED this 6<sup>th</sup> day of June, 2013.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE

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agreement by failing to make periodic payments required by the agreement. A copy of the settlement agreement is submitted as Exhibit 2 to Plaintiff's motion for default judgment. Because Enexco has wholly failed to challenge Plaintiff's allegations in this lawsuit and is in default, the Court need not repeat herein the terms and provisions of the settlement agreement or the facts underlying this lawsuit or Plaintiff's contentions.